

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARK PICOZZI,

Plaintiff,

v.

STATE OF NEVADA, *et al.*

Defendants.

Case No. 2:22-cv-01011-ART-EJY

ORDER

Pending before the Court is Plaintiff's Motion to have Jacques Graham Served. ECF No. 217. On August 30, 2023, the Court entered an Order finding the U.S. Marshal Service attempted service of Mr. Graham at his last known address on August 16, 25, and 28, 2023. A business card was left at the residence on August 25, 2023. No one responded when service was attempted, and no one has contacted the U.S. Marshal Service in response to the card that was left. Thereafter, because discovery was stayed pending the decision on a Motion to Dismiss or for Judgment, the Court suspended additional service attempts on Mr. Graham until such time as the Motion to Dismiss was resolved. ECF No. 182. The Motion to Dismiss was resolved on March 26, 2024. ECF No. 212. However, without attempting to obtain additional information regarding Mr. Graham's location, sending the U.S. Marshal Service back to the address at which service was previously attempted does not seem prudent at this time.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to have Jacques Graham Served (ECF No. 217) is GRANTED.

IT IS FURTHER ORDERED that counsel for Defendants **must** file, under seal, without serving Plaintiff, a notice with the Court no later than **May 10, 2024** providing the best and latest available information regarding an address for service on Jaques Graham.

IT IS FURTHER ORDERED that the Clerk of Court **must** send a USM-285 form to Plaintiff who **must** return the same to the U.S. Marshal for the District of Nevada no later than **May 17, 2024**.

1 Once the USM-285 and notice from Defendants are filed, the Court will enter an Order regarding
2 further attempts to serve Jacques Graham.

3 DATED this 26th day of April, 2024.

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6 ELAYNA J. YOUCHAH
7 UNITED STATES MAGISTRATE JUDGE
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